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Dear Senator Javits:

I am replying to your inquiry of October 10 concerning the plight of Igor Guberman, whom Soviet authorities have denied permission to emigrate and who is now imprisoned in the USSR, and Raoul Wallenberg who disappeared in Budapest, Hungary, in 1945, after the Soviet occupation of that city near the end of World War II.

The United States Government has sought on all appropriate occasions to encourage Soviet authorities to adopt a less repressive policy toward those, such as Mr. Guberman, who seek to exercise their right to emigrate from the USSR or to defend Jewish culture. These rights are emphasized in the Helsinki Final Act, and we encourage the Soviets to uphold the pledges which they made in signing that document. We have also expressed to the Soviets our concern over the fate of Mr. Wallenberg.

We have followed the Guberman case closely since his arrest last September. We have learned that his trial, which began on March 11, has ended with his conviction and a sentence of five years in an ordinary regime labor camp. According to our information, Mr. Guberman was convicted under Article 208 of the Fussian Soviet Federated Socialist Republic criminal code (sale or possession with intent to sell, of goods known to have been acquired by criminal means).

Thus Mr. Guberman, a participant in the samizdat publication, Jews in the USSE, has been convicted exclusively on a non-political article of the law. We are aware that other human rights activists have also been prosecuted under such articles, in an apparent effort to discredit them and isolate them from their supporters.

We will continue to monitor Mr. Cuberman's situation in the hope it may prove possible in some way to help him. One of my colleagues in the Department recently met with Mr. Yuli Kitaevich, head of the Guberman Rescue Committee, to discuss the case. We also continue to seek information pertinent to Mr. Wallenberg's fate.

The Honoralle
Jacob R. Javits,
United States Senate.





I can assure you that we will do all we appropriately can to help Mr. Guberman and others who have been denied the right to emigrate and in some cases imprisoned. Human rights questions, including the right to emigration and family reunification, will be a basic U.S. concern at the upcoming CSCE Review Meeting in Madrid, where we intend to conduct a thorough review of implementation of the Helsinki Final Act.

Our focus at Madrid will be on the principles which underlie the Final Act. We plan to illustrate these principles with reference to specific cases of abuse or progress, where appropriate. We hope by underscoring the depth and persistence of our concern to encourage improved implementation of CSCE pledges in the future. We will continue to pursue this goal through our bilateral contacts with the Soviet Union.

Sincerely,

J. Brian Atwood Assistant Secretary for Congressional Relations

Enclosure:
Correspondence returned.

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